



U.S. Department of Justice

*United States Attorney
Southern District of New York*

86 Chambers Street
New York, New York 10007

November 14, 2022

BY ECF

Hon. Edgardo Ramos
United States District Judge
United States Courthouse
40 Foley Square
New York, New York 10007

Re: *ACLU et al. v. Customs and Border Protection et al.*, 21 Civ. 10430 (ER)

Dear Judge Ramos:

This Office represents the defendant agencies in the above-referenced action brought under the Freedom of Information Act. Pursuant to the Court's order, I write respectfully to provide the Court with an updated status report regarding the agencies' outstanding searches and productions in this case, some of which have been delayed from the agencies' original estimates.

Customs and Border Protection: made productions on July 21, August 31, and October 14, and has completed its productions based on its initial searches; CBP conducted additional searches, in part due to leads developed based on its review of the records it initially located, and has located some potentially responsive records, which it is currently reviewing for responsiveness.

Federal Bureau of Investigation: produced one document on June 21 and has since completed its searches; FBI will make its first monthly production tomorrow, November 15 (though the documents for this production will be withheld in full), for which it reviewed at least 500 pages of responsive documents, and expects to make additional monthly productions.

U.S. Marshals Service: made productions on July 15 and October 24; USMS expects to make its final production in mid-December.

The parties will make their next monthly status report on December 15, 2022. We thank the Court for its consideration of this matter.

Respectfully,

DAMIAN WILLIAMS
United States Attorney

By: s/ Lucas Issacharoff
JEAN-DAVID BARNEA
LUCAS ISSACHAROFF
Assistant United States Attorneys
Telephone: (212) 637-2679/2737
Email: Jean-David.Barnea@usdoj.gov
Lucas.Issacharoff@usdoj.gov

cc: Counsel for plaintiffs (by ECF)